

Montana Department of Natural Resources and Conservation
Water Resources Division
Water Rights Bureau

ENVIRONMENTAL ASSESSMENT
For Routine Actions with Limited Environmental Impact

Part I. Proposed Action Description

1. Applicant/Contact name and address: David Seder, 7300 Sam's Place, Laurel, MT 59044
2. Type of action: Application for Beneficial Water Use Permit 43Q 30120001
3. Water source name: Brockway Coulee
4. Location affected by project: SESE Section 2, T2S R25E, Yellowstone County
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits: The applicant proposes to divert water from Brockway Coulee, by means of a pump, from May 1 to October 1 at 35 GPM up to 5.0 AF, from a point in the SESESE Section 2, T2S, R25E, Yellowstone County, for lawn and garden use from May 1 to October 1. The Applicant proposes to irrigate lawn and garden on 2 AC. The place of use is generally located in the SESE Section 2, T2S, R25E, Yellowstone County approximately 7 miles south southeast of Billings and approximately 2 miles south of the Yellowstone River. The DNRC shall issue a water use permit if an applicant proves the criteria in 85-2-311 MCA are met.
6. Agencies consulted during preparation of the Environmental Assessment:
(include agencies with overlapping jurisdiction)
Montana Department of Natural Resources and Conservation
Montana Department of Fish, Wildlife and Parks
Montana Department of Environmental Quality
Montana Natural Heritage Program
United States Fish and Wildlife Service
United States Natural Resources Conservation Service

Part II. Environmental Review

1. Environmental Impact Checklist:

PHYSICAL ENVIRONMENT

WATER QUANTITY, QUALITY AND DISTRIBUTION

Water quantity – Brockway Coulee is not identified by the Montana Department of Fish, Wildlife and Parks as chronically or periodically dewatered. The appropriation of 35 GPM has little potential to affect the flow in the coulee.

Determination: No significant impact

Water quality – Brockway Coulee is not listed by the Montana Department of Environmental Quality as impaired or threatened. Appropriation of up to 5 AF/YR for lawn and garden irrigation has no potential to impair water quality.

Determination: No impact

Groundwater – Irrigation of lawn and garden will increase the groundwater availability in a local area by a small amount. No potential to impact groundwater quality is recognized.

Determination: No significant impact

DIVERSION WORKS – The proposed means of diversion is a pump in a pumping pit at the bank of Brockway Coulee. The construction of the pumping pit will temporarily affect the channel bank in an aerially restricted region. The pipeline to the place of use will be buried also temporarily affecting the local riparian habitat. No flow modifications or barriers will result from construction of the diversion works. Operation of the system will not change the channel or flow and no barriers will be established.

Determination: No significant impact

UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES

Endangered and threatened species – According to the Montana Natural Heritage Program, there are no plant species of concern in the proposed project area and ten animal species of concern. The animal species of concern are the Black-tailed Prairie Dog, Spotted Bat, great Blue Heron, Yellow-billed Cuckoo, Black-billed Cuckoo, Pinyon Jay, Sage Thrasher, Green-tailed Towhee, Spiny Softshell and the Sauger. Montana Department of Fish, Wildlife and Parks does not list Sauger as a species present in Brockway Coulee. Birds and bats may benefit from trees proposed in the project. No barriers to migration would be created.

Determination: No significant impact

Wetlands – Based on the National Wetlands Inventory from the United States Fish and Wildlife Service, there are no wetlands in the area of the project. No wetlands are proposed.

Determination: No impact

Ponds – There are no ponds in the project area and none are proposed.

Determination: No impact

GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE – The dominant soil type in the area to be irrigated is Keiser silty clay loam based on soil mapping from the United States Natural Resources Conservation Service. This is a well-drained, non-saline to moderately saline soil. There is no evidence of saline seep in the project area. Irrigation will increase soil moisture locally but no degradation of soils or changes in soil stability are likely.

Determination: No significant impact

VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS – Current vegetation in the project area is native grasses on the bench and riparian vegetation along the coulee. Approximately 2 acres would be changed to lawn and garden vegetation including some trees. It will be the responsibility of the land owner to prevent the establishment and spread of noxious weeds.

Determination: No significant impact

AIR QUALITY – Irrigation of lawn and garden on 2 acres has no potential to affect air quality. There will be two small pumps used to convey water from the coulee to the place of use. Power supply to the pumps may directly or indirectly add some pollutants to the air.

Determination: No significant impact

HISTORICAL AND ARCHEOLOGICAL SITES – The project is not located on State or Federal Lands.

Determination: Not applicable

DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY – There are no foreseen demands on environmental resources of land, water or energy not already discussed.

Determination: No impact

HUMAN ENVIRONMENT

LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS – There are no known locally adopted environmental plans or goals

Determination: No impact

ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES – The place of use is a residential dwelling that has no access to recreational or wilderness activities. Lawn and garden irrigation on a residential lot will not affect the quality of any recreational or wilderness activities.

Determination: No Impact

HUMAN HEALTH - Irrigation of lawn and garden on 2 acres has no potential to affect human health.

Determination: No impact

PRIVATE PROPERTY - Assess whether there are any government regulatory impacts on private property rights.

Yes___ No X___ If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.

Determination: No impact

OTHER HUMAN ENVIRONMENTAL ISSUES - For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.

Impacts on:

- (a) Cultural uniqueness and diversity? No significant impact
- (b) Local and state tax base and tax revenues? No significant impact
- (c) Existing land uses? No significant impact
- (d) Quantity and distribution of employment? No significant impact
- (e) Distribution and density of population and housing? No significant impact
- (f) Demands for government services? No significant impact
- (g) Industrial and commercial activity? No significant impact
- (h) Utilities? No significant impact
- (i) Transportation? No significant impact
- (j) Safety? No significant impact
- (k) Other appropriate social and economic circumstances? No significant impact

2. *Secondary and cumulative impacts on the physical environment and human population:*

Secondary Impacts: No secondary impacts are recognized.

Cumulative Impacts: No cumulative impacts are recognized.

3. *Describe any mitigation/stipulation measures:* None

4. ***Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:*** The only reasonable alternative to the proposed action is the no-action alternative. The no-action alternative does not prevent any significant environmental impacts and prevents the land owner from utilizing their property for their enjoyment.

PART III. Conclusion

1. ***Preferred Alternative:*** Issue a water use permit if an applicant proves the criteria in 85-2-311 MCA are met.

- 2 ***Comments and Responses:*** None

3. ***Finding:***
Yes___ No_X___ Based on the significance criteria evaluated in this EA, is an EIS required?

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action: An environmental assessment is the appropriate level of analysis because there were no significant impacts recognized that would require a more detailed assessment.

Name of person(s) responsible for preparation of EA:

Name: Mark Elison

Title: Deputy Regional Manager

Date: 11/9/2018